

accompanying papers, reports, and documents, which were referred as indicated on May 12, 1999:

EC-2980. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report of a technical violation of the Antideficiency Act; to the Committee on Appropriations.

EC-2981. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Rul. 99-22", received April 27, 1999; to the Committee on Finance.

EC-2982. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 99-21—Weighted Average Interest Rate Update", received April 27, 1999; to the Committee on Finance.

EC-2983. A communication from the Director, Bureau of the Census, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "New Canadian Province Import Code for Territory of Nunavut" (RIN0607-AA32), received May 6, 1999; to the Committee on Finance.

EC-2984. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cuban Assets Control Regulations: Sale of Food and Agricultural Inputs; Remittances; Educational, Religious and Other Activities; Travel-Related Transactions; U.S. Intellectual Property" (31 CFR Part 515), received May 10, 1999; to the Committee on Finance.

EC-2985. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules and Procedures for Funds Transfers" (AA38), received May 4, 1999; to the Committee on Finance.

EC-2986. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled "Pediatric Asthma Demonstration Act of 1999"; to the Committee On Finance.

EC-2987. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting drafts of proposed changes to the Foreign Assistance Act of 1962 and the Arms Export Control Act; to the Committee on Foreign Relations.

EC-2988. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report of a proposed export license relative to Italy; to the Committee on Foreign Relations.

EC-2989. A communication from the Secretary of Defense, transmitting the reports of retirements; to the Committee on Armed Services.

EC-2990. A communication from the Director, Office of the Secretary of Defense, transmitting a report relative to acquisition and cross-servicing agreements with countries that are not part of the North Atlantic Treaty Organization or its subsidiary bodies; to the Committee on Armed Services.

EC-2991. A communication from the Assistant Secretary of Defense, transmitting, pursuant to law, the report of a plan for the redesign of the military pharmacy system; to the Committee on Armed Services.

EC-2992. A communication from the General Counsel, Department of Defense, transmitting a draft of proposed legislation relative to various management concerns regarding security cooperation programs; to the Committee on Armed Services.

EC-2993. A communication from the Under Secretary, Export Administration, Department of Commerce, transmitting, pursuant

to law, a report of the imposition on Serbia of certain foreign policy-based export controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-2994. A communication from the Assistant Secretary, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Exports To Serbia" (RIN0694-AB69), received May 4, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-2995. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the Exchange Stabilization Fund for fiscal year 1998; to the Committee on Banking, Housing and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

PO-111. A resolution adopted by the Legislature of the State of Nebraska; to the Committee on Energy and Natural Resources.

LEGISLATIVE RESOLUTION 69

Whereas, until 1993, the federal Natural Gas Policy Act of 1978 established the maximum lawful price that a natural gas producer could charge its pipeline customers for natural gas, providing under section 110 of the act that the producer could adjust the maximum price upward in order to recover from pipeline customers any state severance tax payments made by the producer; and

Whereas, in 1988, in the case of *Colorado Interstate Gas Co. v. the Federal Energy Regulatory Commission*, 850 F. 2d 769, the United States Court of Appeals for the District of Columbia Circuit ruled that the ad valorem tax levied by the State of Kansas was not a severance tax within the meaning of section 110 of the Natural Gas Policy Act and ordered natural gas producers to refund that portion of the payments received from the pipelines attributable to the cost of the Kansas ad valorem taxes paid plus interest; and

Whereas, upon remand of the matter to the Federal Energy Regulatory Commission, the commission ordered the refunds to be made on that portion of all purchases which had included Kansas ad valorem taxes which were charged after June 28, 1988, the date of the Appeals Court ruling in the *Colorado Interstate Gas Co.* case; and

Whereas, in 1996, in the case of *Public Service Company of Colorado v. the Federal Energy Regulatory Commission*, 91 F. 3d 1478, the United States Court of Appeals for the District of Columbia overruled the commission, holding that the refunds should commence from October 1983, when notice was filed in the Federal Register of the petition before the commission challenging the propriety of including the Kansas ad valorem taxes in the price charged for natural gas produced in Kansas; and

Whereas, as of November 1997, the consumers of natural gas in twenty-three states were entitled, pursuant to this ruling and the subsequent order of the Federal Energy Regulatory Commission, to refunds and accrued interest from natural gas producers for the period of October 1983 through June 1988, amounting to more than \$334,840,000, with Nebraska consumers to receive approximately \$34,360,000 (approximately ten percent of the total); and

Whereas, of those sums, over 60 percent of the total is accrued interest as of that date with additional interest being compounded quarterly on unpaid balances and on those sums not placed in escrow accounts pursuant to commission order; and

Whereas, the United States Senate and the United States House of Representatives in their individual versions of the Emergency Supplemental Appropriations Act for Fiscal Year 1999 (S. 544 and H.R. 1141) have provisions, added by amendment, which would amend the Natural Gas Policy Act of 1978 to prohibit the commission or any court from ordering the payment of any interest or penalties with respect to ordered refunds of rates or charges made, demanded, or received for reimbursement of State ad valorem taxes in connection with the sale of natural gas before 1989; and

Whereas, both acts were adopted by their respective houses of the Congress on March 25 of this year, immediately prior to their Easter adjournment and are pending consideration by a Joint Appropriations Conference Committee; and

Whereas, legislation for the same purpose (S. 626 in the Senate and H.R. 1117 in the House of Representatives) is currently pending; and

Whereas, the sole result of the final adoption of these amendments or these bills will be to mitigate or reduce the liability of natural gas producers for charges wrongfully imposed on consumers in the period of 1983 to 1988 by denying consumers interest on the amount of those charges and relieving the producers of any liability for future penalties flowing from the failure to make court-ordered payments in the prescribed manner; and

Whereas, the lost refunds to Nebraska natural gas consumers will amount to more than 10 percent of the total reduction, representing the fourth largest state loss of the twenty-four states receiving court-ordered refunds; and

Whereas, Nebraska has been urged to join with other states in petitioning Congress to reconsider the adoption of these ill-advised and possibly unconstitutional provisions and avoid future litigation at the expense of all parties involved.

Now, Therefore, be it Resolved by the Members of the Ninety-Sixth Legislature of Nebraska, First Session:

1. That the Legislature hereby petitions the Congress of the United States to oppose the enactment of S. 626 and H.R. 1117 or any version thereof which would have the effect of waiving interest or penalties of any kind with regard to natural gas producer refunds of state ad valorem taxes charged to consumers on the sale of natural gas before 1989.

2. That the Legislature hereby petitions the Congress of the United States to reconsider its actions with regard to S. 544 and H.R. 1141 in the adoption of the amendments which would have the effect of waiving interest or penalties of any kind with regard to natural gas producer refunds of state ad valorem taxes charged to consumers on the sale of natural gas before 1989 and urges that the ultimate version of the Emergency Supplemental Appropriations Act for Fiscal Year 1999 as reported by the conference committee and adopted by the Congress not include any provision having this effect.

3. That the Legislature urges the members of the Nebraska House and Senate delegations to vote against and to take such actions as necessary to prevent the passage of any amendments or legislation which would have the effect of waiving interest or penalties of any kind with regard to natural gas producer refunds of state ad valorem taxes charged to consumers on the sale of natural gas before 1989.

4. That the Clerk of the Legislature transmit copies of this resolution to each member of the Nebraska Congressional delegation and that copies be transmitted to the Speaker of the United States House of Representatives and the President of the United States

Senate with the request that it be officially entered into the Congressional Record as a memorial to the Congress of the United States.

POM-112. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to the Social Security Act; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 559. A bill to designate the Federal building located at 33 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building."

S. 858. A bill to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the "Lewis R. Morgan Federal Building and United States Courthouse."

EXECUTIVE REPORT OF A COMMITTEE

The following executive report of a committee was submitted:

By Mr. CHAFEE, for the Committee on Environment and Public Works:

George T. Frampton, Jr., of the District of Columbia, to be a Member of the Council on Environmental Quality.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mr. SARBANES, Mr. BRYAN, and Mr. JOHNSON):

S. 1015. A bill to require disclosure with respect to securities transactions conducted "online", to require the Securities and Exchange Commission to study the effects on online trading on securities markets, to prevent online securities fraud, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DEWINE (for himself, Mr. GREGG, Mr. WELLSTONE, and Mrs. MURRAY):

S. 1016. A bill to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MACK (for himself, Mr. GRAHAM, Mr. SANTORUM, Mr. SARBANES, Mr. CHAFEE, Mr. BRYAN, Mr. MURKOWSKI, Mr. BREAUX, Mr. JEFFORDS, Mr. KERREY, Mr. COVERDELL, Mr. ROBB, Mr. CRAIG, Mr. CONRAD, Mr. SHELBY, Mr. ROCKEFELLER, Mr. ALLARD, Mr. DODD, Mr. GRAMS, Mr. JOHNSON, Mr. HAGEL, Mr. SCHUMER, Mr. CRAPO, Mr. LIEBERMAN, Mr. HELMS, Mr. EDWARDS, Mr. ABRAHAM, Mrs. LINCOLN, Mr. SESSIONS, Mrs.

BOXER, Mr. HUTCHINSON, Mrs. FEINSTEIN, Mr. LUGAR, Mr. WELLSTONE, Ms. SNOWE, Mr. TORRICELLI, Mr. SPECTER, Mr. DORGAN, Mrs. HUTCHISON, Mr. HOLLINGS, Mr. THOMAS, Mr. DASCHLE, Mr. LAUTENBERG, Mr. KERRY, Mrs. MURRAY):

S. 1017. A bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit; to the Committee on Finance.

By Mr. EDWARDS:

S. 1018. A bill to provide for the appointment of additional Federal district judges in the State of North Carolina, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 1019. A bill for the relief of Regine Beatie Edwards; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 1020. A bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts; to the Committee on the Judiciary.

By Mr. KOHL:

S. 1021. A bill to provide for the settlement of claims of the Menominee Indian Tribe of Wisconsin; to the Committee on the Judiciary.

By Mr. DORGAN (for himself, Mr. CONRAD, and Mr. WELLSTONE):

S. 1022. A bill to authorize the appropriation of an additional \$1,700,000,000 for fiscal year 2000 for health care for veterans; to the Committee on Veterans' Affairs.

By Mr. MOYNIHAN (for himself, Mr. KENNEDY, Mr. SCHUMER, Mr. HELMS, Mr. KERRY, Mr. TORRICELLI, Mr. DURBIN, Mr. SANTORUM, Mr. LIEBERMAN, Mr. KERREY, Mr. LEVIN, Mrs. MURRAY, Mr. SPECTER, Mr. CLELAND, and Mr. EDWARDS):

S. 1023. A bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments; to the Committee on Finance.

By Mr. MOYNIHAN (for himself, Mr. SCHUMER, Mr. SPECTER, Mr. KERRY, Mr. KERREY, Mr. SANTORUM, Mr. DURBIN, Mr. CLELAND, and Mr. CHAFEE):

S. 1024. A bill to amend title XVIII of the Social Security Act to carve out from payments to Medicare+Choice organizations amounts attributable to disproportionate share hospital payments and pay such amounts directly to those disproportionate share hospitals in which their enrollees receive care; to the Committee on Finance.

By Mr. MOYNIHAN (for himself, Mr. BREAUX, Mr. DASCHLE, Mr. SANTORUM, Mr. DURBIN, Mr. SCHUMER, Mr. KERRY, Mr. SPECTER, Mr. CONRAD, Mr. BAUCUS, Mr. CHAFEE, Mr. KERREY, and Mr. CLELAND):

S. 1025. A bill to amend title XVIII of the Social Security Act to ensure the proper payment of approved nursing and allied health education programs under the Medicare program; to the Committee on Finance.

By Mr. DODD:

S. 1026. A bill to amend title XVIII of the Social Security Act to prevent sudden disruption of Medicare beneficiary enrollment in Medicare+Choice plans; to the Committee on Finance.

By Mr. SMITH of Oregon (for himself, and Mr. WYDEN):

S. 1027. A bill to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. HELMS, Mr. INHOFE, Mr. SANTORUM, Mr. ASHCROFT, Mr. ENZI, Mr. MCCAIN, Mr. SMITH of New Hampshire, and Mr. NICKLES):

S. Res. 100. A resolution reaffirming the principles of the Programme of Action of the International Conference on Population and Development with respect to the sovereign rights of countries and the right of voluntary and informed consent in family planning programs; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MACK (for himself, Mr. GRAHAM, Mr. SANTORUM, Mr. SARBANES, Mr. CHAFEE, Mr. BRYAN, Mr. MURKOWSKI, Mr. BREAUX, Mr. JEFFORDS, Mr. KERREY, Mr. COVERDELL, Mr. ROBB, Mr. CRAIG, Mr. CONRAD, Mr. SHELBY, Mr. ROCKEFELLER, Mr. ALLARD, Mr. DODD, Mr. GRAMS, Mr. JOHNSON, Mr. HAGEL, Mr. SCHUMER, Mr. CRAPO, Mr. LIEBERMAN, Mr. HELMS, Mr. EDWARDS, Mr. ABRAHAM, Mrs. LINCOLN, Mr. SESSIONS, Mrs. BOXER, Mr. HUTCHINSON, Mrs. FEINSTEIN, Mr. LUGAR, Mr. WELLSTONE, Ms. SNOWE, Mr. TORRICELLI, Mr. SPECTER, Mr. DORGAN, Mrs. HUTCHISON, Mr. HOLLINGS, Mr. THOMAS, Mr. DASCHLE, Mr. LAUTENBERG, Mr. KERRY, and Mrs. MURRAY):

S. 1017. A bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit; to the Committee on Finance.

AFFORDABLE HOUSING OPPORTUNITY ACT OF 1999

Mr. MACK. Mr. President, I rise today to introduce the Affordable Housing Opportunity Act of 1999. My colleague from my home state, BOB GRAHAM, my colleague from Pennsylvania, Senator SANTORUM, and 42 other members of the Senate join me as original cosponsors of this effort to make sure that the Low Income Housing Tax Credit is not undercut by the effects of inflation.

The Low Income Housing Tax Credit is one federal housing program that works. It works to produce affordable rental housing by allowing states to distribute tax credits to those who invest in apartments for low income families. It works because it is decentralized, it is market-oriented, and it relies on the private sector.

The Low Income Housing Tax Credit works because it is based on sound economics. This is in stark contrast to the alternative government approach to the problem of a scarcity of privately owned, affordable housing units, the approach of rent control. Under rent